IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 25190 of 2004

Between:

A. Sanjeeva Reddy S/o Veera Reddy
R/o Phase-IV MIG-153, Vanasthalippuram, Hyderabad RR District

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep by Principal Secretary

Rvenue Department Secretariat, Hyderabad
2 The District Collector, Ranga Reddy District, Lakadikapool Hyderabad
3 The Revenue Divisional Officer, Ranga Reddy District Hyderabad
4 The mandal Revenue Officer, Shameerpet Mandal, Ranga Reddy

District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the inaction of the respondents in not assigning the agricultural land in favour of the petitioner as illegal, arbitrary and violative of principles of natural justice and in violation of Article 14 and 21 of the Constitution of India and consequently direct the respondents to forthwith assign and allot to an extent of Ac. 10-00 of Agricultural land immediately in favour of the petitioner.

Counsel for the Petitioner:MR.A.V.SWAMY

Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

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ORDER:

This writ petition is filed by Mr.A.Sanjeeva Reddy with a prayer to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, declaring the inaction of the respondents in not assigning the agricultural land in his favour, as illegal, arbitrary and violative of principles of natural justice.

The petitioner claims that he is a freedom fighter. He applied for assignment of Government land to the District Collector, R.R. District. After constant persuasion with the District Revenue Authorities, according to the petitioner, an extent of Ac.10-00 in Survey No.542 situated at Kolthur Village, Shameerpet Mandal, has been assigned to him in the year 1992. Since the possession had not been delivered to him, another application was presented to the Mandal Revenue Officer for allotment of some other land, available in Survey No.131/1 and 131/2 and 361/1 situated in Tumukunta Village of Survey No.1266. Since no action has been taken on his representation, he has chosen to approach this Court under Article 226 of the Constitution of India.

The respondents filed a counter-affidavit. One Mr.N.Kishan Rao sworn to the counter affidavit. It is stated in the counter affidavit that the land assigned to the petitioner is contrary to the provisions and therefore, his assignment has been cancelled. It is further stated that the request of the petitioner for assignment of land in Sy.No.131/1, 132/2, 361/1 of Thumkunta Village cannot be considered in view of the prohibition imposed in G.O.Ms.No.1409 Rev.(Q), Dept.dt.19-8-1978 and G.O.Ms.No.185 Rev. (Assn-1) Dept. dt.11-3-1997.

Heard, the learned counsel for the petitioner and the learned Government Pleader for Assignment appearing on behalf of the respondents.

It appears that the petitioner has indicated specific survey numbers, in which he sought for assignment of land. Thereupon the respondents have come up with a plea that the assignment in the above survey numbers has been prohibited. Certain G.Os have been referred in the counter affidavit. Such is the situation, I deem it appropriate to direct the petitioners to submit a fresh application, for assignment of

some other land, and the respondent authorities have to dispose of his application, within three months thereafter.

Accordingly, the writ petition is disposed of. No costs.

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08th July, 2005.

mrb

To

1 The Principal Secretary, Government of Andhra Pradesh,

Revenue Department Secretariat, Hyderabad
2 The District Collector, Ranga Reddy District, Lakadikapool,

Hyderabad
3 The Revenue Divisional Officer, Ranga Reddy District, Hyderabad
4 The Mandal Revenue Officer, Shameerpet Mandal, Ranga Reddy

District

5. Two CCs to GP for Revenue, High Court Buildings, Hyderbad(OUT

6. Two CD copies